



U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535

October 19, 2010

MR. IVAN GREENBERG

Subject: FORD, GERALD R.
FOIPA Number: 1118463- 002

Dear Mr. Greenberg:

The enclosed documents were reviewed under the Freedom of Information/Privacy Acts (FOIPA), Title 5, United States Code, Section 552/552a. Deletions have been made to protect information which is exempt from disclosure, with the appropriate exemptions noted on the page next to the excision. In addition, a deleted page information sheet was inserted in the file to indicate where pages were withheld entirely. The exemptions used to withhold information are marked below and explained on the enclosed Form OPCA-16a:

Section 552

Section 552a

☐ (b)(1)

☐ (b)(7)(A)

☐ (d)(5)

☒ (b)(2)

☐ (b)(7)(B)

☐ (j)(2)

☒ (b)(3) 26 U.S.C. Section 6103;

☒ (b)(7)(C)

☐ (k)(1)

Rule 6(e), Federal Rules of Criminal

☒ (b)(7)(D)

☐ (k)(2)

Procedure; National Security Act of

☐ (b)(7)(E)

☐ (k)(3)

1947 and CIA Act of 1949

☐ (b)(7)(F)

☐ (k)(4)

☐ (b)(4)

☐ (b)(8)

☐ (k)(5)

☐ (b)(5)

☐ (b)(9)

☐ (k)(6)

☒ (b)(6)

☐ (k)(7)

1,145 page(s) were reviewed and 1,102 page(s) are being released.

- ☐ Document(s) were located which originated with, or contained information concerning other Government agency(ies) [OGA]. This information has been:
- ☐ referred to the OGA for review and direct response to you.
- ☐ referred to the OGA for consultation. The FBI will correspond with you regarding this information when the consultation is finished.
- ☒ You have the right to appeal any denials in this release. Appeals should be directed in writing to the Director, Office of Information Policy, U.S. Department of Justice, 1425 New York Ave., NW, Suite 11050, Washington, D.C. 20530-0001. Your appeal must be received by OIP within sixty (60) days from the date of this letter in order to be considered timely. The envelope and the letter should be clearly marked "Freedom of Information Appeal." Please cite the FOIPA Request Number assigned to your request so that it may be identified easily.

- ☐ The enclosed material is from the main investigative file(s) in which the subject(s) of your request was the focus of the investigation. Our search located additional references, in files relating to other individuals, or matters, which may or may not be about your subject(s). Our experience has shown, when ident, references usually contain information similar to the information processed in the main file(s). Because of our significant backlog, we have given priority to processing only the main investigative file(s). If you want the references, you must submit a separate request for them in writing, and they will be reviewed at a later date, as time and resources permit.
- ☒ See additional information which follows.

Sincerely yours,



David M. Hardy
Section Chief
Record/Information
Dissemination Section
Records Management Division

Enclosure(s)

This is in further response to your Freedom of Information Act (FOIA) Appeal number 2009-0107 you submitted by letter dated October 8, 2008, to the Department of Justice, Office of Information Policy (OIP). By letter to you dated March 22, 2010, OIP advised that the documents you received from the FBI by letter dated September 30, 2008, would be remanded back to that agency for further processing.

To avoid further delays in responding to this remanded FOIA request, interim releases of the responsive material will be made to you. The following sections were processed for this release: **FBI main file 161-HQ-9896 (Sections 1, 2, 5 and 6)**. Additional releases will be made to you until all processing has been completed.

Pursuant to your request, the enclosed material has been placed on a CD-ROM. Please remit payment in the amount of **\$15.00** to cover the cost of duplication fees. Your check or money order should be made payable to the **Federal Bureau of Investigation** and mailed to the **Federal Bureau of Investigation, 170 Marcel Drive, Winchester, VA 22602**. Please include the above FOIA number on your check or money order or enclose a copy of this letter.

Please be advised that several of the additional records that appear to be responsive to your remanded FOIA request have been destroyed. The records destruction practices of the Federal Bureau of Investigation (FBI) are conducted in full compliance with **Title 44, United States Code, Chapter 33** and the **Code of Federal Regulations, Title 36, Chapter 12, Subpart 1228**. The FBI Records Retention Plan and Disposition Schedules have been approved by the National Archives and Records Administration in Washington, D.C. The following is a list of all responsive records that have been destroyed including the date of destruction, if known: **BT-9A-966 (3/27/08); BT-9A-1050 (3/27/08); NH-161-1644 (2/14/08); DE-56-189 (6/27/90); DE-161-1355 (6/13/08); 175-SA-34 (8/1999); 9-SA-1843 (12/1976); HN-161A-364 (2/23/10); 100-33209 (date unknown); 9-DN-2460 (5/13/08); 175-DN-30 (10/5/99); 175-NK-379 (2005) and 175-NK-378 (date unknown)**.

EXPLANATION OF EXEMPTIONS

SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552

- (b)(1) (A) specifically authorized under criteria established by an Executive order to be kept secret in the interest of national defense or foreign policy and (B) are in fact properly classified to such Executive order;
- (b)(2) related solely to the internal personnel rules and practices of an agency;
- (b)(3) specifically exempted from disclosure by statute (other than section 552b of this title), provided that such statute(A) requires that the matters be withheld from the public in such a manner as to leave no discretion on issue, or (B) establishes particular criteria for withholding or refers to particular types of matters to be withheld;
- (b)(4) trade secrets and commercial or financial information obtained from a person and privileged or confidential;
- (b)(5) inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency;
- (b)(6) personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;
- (b)(7) records or information compiled for law enforcement purposes, but only to the extent that the production of such law enforcement records or information (A) could be reasonably be expected to interfere with enforcement proceedings, (B) would deprive a person of a right to a fair trial or an impartial adjudication, (C) could be reasonably expected to constitute an unwarranted invasion of personal privacy, (D) could reasonably be expected to disclose the identity of confidential source, including a State, local, or foreign agency or authority or any private institution which furnished information on a confidential basis, and, in the case of record or information compiled by a criminal law enforcement authority in the course of a criminal investigation, or by an agency conducting a lawful national security intelligence investigation, information furnished by a confidential source, (E) would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law, or (F) could reasonably be expected to endanger the life or physical safety of any individual;
- (b)(8) contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions; or
- (b)(9) geological and geophysical information and data, including maps, concerning wells.

SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552a

- (d)(5) information compiled in reasonable anticipation of a civil action proceeding;
- (j)(2) material reporting investigative efforts pertaining to the enforcement of criminal law including efforts to prevent, control, or reduce crime or apprehend criminals;
- (k)(1) information which is currently and properly classified pursuant to an Executive order in the interest of the national defense or foreign policy, for example, information involving intelligence sources or methods;
- (k)(2) investigatory material compiled for law enforcement purposes, other than criminal, which did not result in loss of a right, benefit or privilege under Federal programs, or which would identify a source who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k)(3) material maintained in connection with providing protective services to the President of the United States or any other individual pursuant to the authority of Title 18, United States Code, Section 3056;
- (k)(4) required by statute to be maintained and used solely as statistical records;
- (k)(5) investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment or for access to classified information, the disclosure of which would reveal the identity of the person who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k)(6) testing or examination material used to determine individual qualifications for appointment or promotion in Federal Government service the release of which would compromise the testing or examination process;
- (k)(7) material used to determine potential for promotion in the armed services, the disclosure of which would reveal the identity of the person who furnished the material pursuant to a promise that his/her identity would be held in confidence.